

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE MAY 2 - 2006
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 1:06cr42

AUGUSTINE HAYMOND,
FARRAH MUNIZ,

Defendants.

Violations: 18 USC §2
21 USC §841(a)(1)
21 USC §841(b)(1)(C)
21 USC §843(b)
21 USC §846

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy to Possess With the Intent to Distribute and to Distribute Oxycodone)

From in or about May 2004, and continuing until in or about June 2004, at or near Harrison County, and within the Northern Judicial District of West Virginia, and elsewhere, the defendants, **AUGUSTINE HAYMOND** and **FARRAH MUNIZ**, and others known and unknown to the Grand Jury, did knowingly and willfully combine, conspire, confederate and agree and have a tacit understanding with each other and with other persons known and unknown to the Grand Jury, to commit an offense against the United States, to wit: to violate Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C)(iii). It was a purpose and object of the conspiracy to knowingly and intentionally possess with intent to distribute and to distribute oxycodone, a Schedule II drug controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 846.



COUNT TWO

**(Use of a Communication Facility to Commit, Cause & Facilitate
Commission of Drug Felonies)**

On or about May 28, 2004 in Harrison County, in the Northern District of West Virginia, and elsewhere, the defendant, **FARRAH MUNIZ**, did unlawfully, knowingly and intentionally use a communication facility, that is, the telephone, in committing, causing and facilitating the commission of felonies under Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), that is, distribution of oxycodone, a Schedule II drug controlled substance; in violation of Title 21, United States Code, Section 843(b).

COUNT THREE

(Distribution of Oxycodone - Aiding and Abetting)

On or about May 28, 2004, at or near Bridgeport, Harrison County, West Virginia, within the Northern District of West Virginia, defendants, **AUGUSTINE HAYMOND** and **FARRAH MUNIZ**, aided and abetted by each other, unlawfully, knowingly and intentionally distributed approximately 1.6 grams of oxycodone, a Schedule II drug controlled substance, to a person known to the Grand Jury in exchange for \$1,000.00; in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FOUR

(Possession with the Intent to Distribute Oxycodone)

On or about May 28, 2004, at or near Bridgeport, Harrison County, West Virginia, within the Northern District of West Virginia, defendant, **AUGUSTINE HAYMOND**, did unlawfully, knowingly and intentionally possess with the intent to distribute approximately 16.2 grams of oxycodone, a Schedule II drug controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIVE

(Possession with the Intent to Distribute Oxycodone)

On or about June 19, 2004, at or near Stonewood, Harrison County, West Virginia, within the Northern District of West Virginia, defendant, **AUGUSTINE HAYMOND**, did unlawfully, knowingly and intentionally possess with the intent to distribute approximately 2.75 grams of oxycodone, a Schedule II drug controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

A true bill,

/S/
Grand Jury Foreperson
(Signature on File)

Shawn Angus Morgan for
RITA R. VALDRINI
ACTING UNITED STATES ATTORNEY